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FACSIMILE COVER SHEET

TO: Mr. Randy Green
Office Of Petitions

FROM: Frank Cire

RE: Copy of Petition for U.S. Patent Application No. 09/219,747

FAX NO.: 703-305-4257

DATE: May 13, 2004

NO. OF PAGES: 29
(including cover page)

TIME: 11:35

SENT BY: *[Signature]*

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11/03 2003 11:58 FAX 703 418 15

PATENT IMAGING CORP.

Commissioner for Patents
Washington, D.C. 20231Date 3 11 03

Mo. Day Yr.

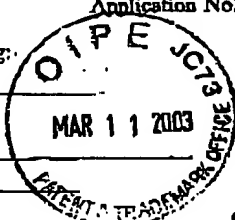
Atty. Docket 00862.002629Application No. 09/219,747

Sir:

Kindly acknowledge receipt of the accompanying:

- ☐ Response to Official Action.
- ☐ Check for \$ _____ (claims fee)
- ☐ Petition under 37 CFR 1.136 and Check for \$ _____
- ☐ Notice of Appeal and Check for \$ _____
- ☐ Information Disclosure Statement, PTO-1449 and _____ documents
- ☐ Claim for priority and certified copies of _____ priority applications
- ☐ Issue fee transmittal and Check for \$ _____

☒ *Petition To Withdraw Err. Holding of Aband. w/ Exs. A*
(CPA, Prelim. Amend., postcard & ek copies), PTO-Stamped
by placing your receiving date stamp hereon and returning to deliver. *postcard* &
C (PAIR Report)

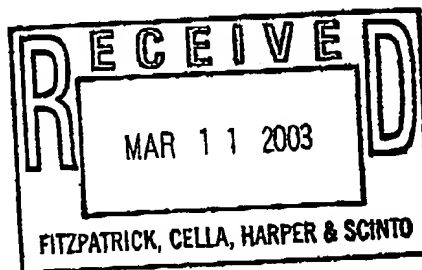
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00862.002629.

COPYPATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

AKANE YOKOTA et al.

Application No.: 09/219,747

Filed: December 23, 1998

For: COMMUNICATION SYSTEM
IN WHICH ARBITRARY
NUMBER OF
COMMUNICATION
APPARATUSES FORM
GROUP TO COMMUNICATE
WITH EACH OTHER, AND
THE COMMUNICATION
APPARATUS

Examiner: K. Tran

Group Art Unit: 2631

March 10, 2003

Commissioner for Patents
Washington, D.C. 20231

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PETITION UNDER 37 C.F.R. § 1.181(a)
TO WITHDRAW ERRONEOUS HOLDING OF ABANDONMENT

Sir:

Applicants have received a Notice of Abandonment indicating that the
above application became abandoned for failure to pay the required issue fee by the due
date of November 23, 2002.

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Applicants respectfully submit that the holding of abandonment is improper and should be withdrawn. In particular, Applicants timely filed a Continued Prosecution Application (CPA) Request Transmittal and a Preliminary Amendment on November 12, 2002 to continue prosecution of the case.

Enclosed in Exhibit A are copies of the CPA and the Preliminary Amendment, along with copies of a return postcard and of a check in the amount of \$1,730.00 for the filing fee and additional claims.

The above documents were received in the USPTO mailroom on November 12, 2002, as evidenced by a PTO-stamped postcard bearing that date, a copy of which is enclosed as Exhibit B. Also enclosed, as Exhibit C, is a copy of a PAIR report for the subject application which indicates that the CPA was received at the PTO on November 12, 2002.

Based on the foregoing, Applicants submit that the abandonment of the subject application is erroneous, and therefore withdrawal of the Notice Of Abandonment is respectfully requested, along with entry and consideration of the CPA and the Preliminary Amendment filed on November 12, 2002.

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Applicants' undersigned attorney may be reached in our Costa Mesa, CA office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,



Attorney for Applicants

Registration No. 40,595

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-2200
Facsimile: (212) 218-2200
CA_MAIN 59849 v 1

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Exhibit
A

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BOX CPA
 Commissioner for Patents
 Washington, D.C. 20231

Date 11 / 12 / 02
 Mo. Day Yr.
 Atty. Docket 00862.002629
091219,747

Sir:

Kindly acknowledge receipt of the accompanying:

- ☐ Specifications, claims and abstract _____ pages, with Transmittal Form
 Patent Application Bibliographic Data Sheet _____ sheets
☐ Executed Oath or Declaration and Power of Attorney
☐ _____ Sheets of _____ formal _____ informal drawings
☒ Check for \$ 1,730.00 (filing fee)
☐ Request for Continued Examination and Check for \$ _____
☐ Assignment, PTO-1595 and Check for \$ _____
☒ Transmittal Under 37 CFR 1.53(d) (CPA)
☐ Petition under 37 CFR 1.136 and check for \$ _____
☒ Other (specify) Prelim. Amend.

by placing your receiving date stamp hereon and mailing or returning to deliverer.

This is a ☒ Continuation ☐ Divisional ☐ Continuation-In-Part37 CFR 1.8 ☐37 CFR 1.10 ☐Atty. DAO/saDue Date 11 / 23 / 02
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